

COMMISSION ON INDIGENT DEFENSE

Minutes for Commission Meeting May 20, 2016

Location: Conference Room, SC Commission on Indigent Defense, 1330 Lady Street, Columbia, SC

Attending Members: Harry Dest, Doug Strickler, Ashley Pennington, Hon. Duane Shuler, Hon. Edward Cottingham, John Nichols; Walker Willcox, Yvonne Murray-Boyles, Ashlin Potterfield.

Attending Staff: Patton Adams, Hugh Ryan, Lawrence Brown, Bob Dudek

There being a quorum, the Chair called the meeting to order.

Commission Appointments: Mr. Dest introduced Judge Duane Shuler as a new member of the Commission, and the members welcomed Judge Shuler.

Minutes of February 26, 2016 Meeting: A motion was made to approve the minutes of the previous meeting of February 26, 2016. That motion was seconded and passed.

Future Meeting Dates: The next meeting was tentatively scheduled for September 23, 2016.

Budget Update: The Commission was informed that the Senate had followed the House recommendation of \$8.2 million for SCCID with approximately \$6.2 million for the (PDs) Defense of Indigents and \$2 million for contract attorneys. The budget was back in the House Ways and Means Committee for final consideration with two weeks remaining in the session. SCCID had no indication of any problems with the funding being finally approved.

Director Adams informed the Commission that he had met with the Chief Public Defenders to go over how much new funding would go to each office and that the money was primarily intended by the legislature for new hires. If all of the funds were used for attorneys, it would probably mean about 83 new attorneys statewide, but some of the funds would necessarily have to go for support personnel – investigators and administrative support. The number of attorney positions that the funds would cover was based on \$50,000 in salary and \$25,000 in fringe benefits per attorney. Some of the Public Defenders had also indicated that their ability to hire might be delayed by space constraints in their current offices.

Director Adams then informed the Commission that the Office of Indigent Defense carefully monitors its spending and that the Agency would expect to have approximately \$3 million to carry forward into the new fiscal year. Depending on the outcome of the budget, the agency might be able to shift some of the probation fee money that comes to the agency to the public defenders. Mr. Ryan informed the Commission that the increase in the number of DSS cases would also have an impact on allocation of funds.

Circuit Public Defender Nominations: The Commission considered nominations for the Circuit Public Defender for the 13th Circuit.

Thirteenth Circuit: The Commission was informed that the Thirteenth Circuit Public Defender Selection Panel had nominated John Mauldin to serve another four-year term. A motion was made to accept the nomination. The motion was seconded and approved by unanimous vote.

Contract System Update: Mr. Ryan informed the Commission on progress with attorney contracts for the coming fiscal year. He stated that very few attorneys had not reapplied for contracts and that some of those had taken other jobs or were deceased. He regarded the reapplication rate as a good indicator of the success of the contact system.

Public Defense 103 Update: Mr. Brown informed the Commission that PD103 was held the first week in May in Aiken. There were 25 participants and the program was very well received by the participants. Director Adams informed the Commission that agency was also continuing to explore options for additional programs and distance learning. He also stated the agency's intention to do more with the Public Defender Investigators' Association.

Executive Session (Human Resource Matters): A motion was made to go to executive session to discuss a human resources matter. The motion was seconded and passed unanimously, and the Commission went into executive session. Upon return from executive session, a motion was made to approve revisions to the agency organizational chart and the job descriptions for the positions of Comptroller and OID Administrator. The motion passed by unanimous vote.

There being no further business, a motion to adjourn was made, seconded and passed.

Respectfully submitted,

Lawrence Brown
Interim Assistant Director